

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO: 00-6329-CR-FERGUSON

Plaintiff,

v.

HENRY SCHUR and NICHOLAS  
LEVANDOSKI,

Defendants.

**NIGHT BOX  
FILED**

MAR 19 2001

CLARENCE MADDOX  
CLERK, USDC/SDFL/FTL

**JOINT**  
**MOTION FOR CONTINUANCE OF SENTENCING**

COME NOW, the parties, Henry Schur and Nicholas Levandoski, and by and through their undersigned counsel, and the United States of America, by and through the Office of the Attorney General, and respectfully request this Honorable Court enter an Order continuing the sentencing presently scheduled for March 23, 2001, and as grounds and in support thereof states as follows:

1. The Defendant, Henry Schur, entered a guilty plea to one Count of mail fraud and one Count of making false statements to the FDA.
2. The Defendant, Nicholas Levandoski, entered a guilty plea to one Count of mail fraud and one Count of making false statements to the FDA.
2. Sentencing in this matter has been scheduled for March 23, 2001.
3. Richard L. Rosenbaum is scheduled to be out of the State of Florida from March 16, 2001 through March 23, 2001 on a pre-paid family vacation
4. The corporate defendant in this matter is scheduled for sentencing on March 30, 2001.
5. In the interest of judicial economy, and due to Richard L. Rosenbaum's unavailability,

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it is respectfully that the sentencing scheduled for March 23, 2001 be re-scheduled for March 30, 2001.

6. This Motion is made in good faith and not for the purpose of delay or avoidance.
7. Undersigned has discussed the issues raised in this Motion with the prosecutor assigned to represent the United States, Robert Nicholson, Esq. AUSA Nicholson joins in this motion and has no objection to the relief sought herein.

WHEREFORE, the parties, respectfully moves this Honorable Court enter an Order continuing the sentencing which is presently set for March 23, 2001.

WE HEREBY CERTIFY that a copy of the foregoing has been furnished this 19<sup>th</sup> day of **March, 2001** to: Assistant United States Attorney, Robert Nicholson, 299 East Broward Boulevard, Fort Lauderdale, Florida 33301 and Kathryn Gomez, U S. Pretrial Services, 299 East Broward Boulevard, #301, Fort Lauderdale, Florida 33301.

Respectfully submitted,

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BY   
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BY  for  
MARTIN I. JAFFE